



07/01/98

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))</small>	Attorney Docket No. 23660-00611
	First Inventor or Application Identifier Howard Tanner
	Title <b>METHOD AND APPARATUS FOR THE SURGICAL REPAIR OF ANEURYSMS</b>
	Express Mail Label No.

APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small>	5. <input type="checkbox"/> Microfiche Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Specification [Total Pages 69] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	6. Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small> <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Copy</li><li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input type="checkbox"/> Statement verifying identity of above copies</li></ul>
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 27]	<b>ACCOMPANYING APPLICATION PARTS</b>
4. Oath or Declaration [Total Pages 3] <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Newly executed (original or copy)</li><li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) <small>(for continuation/divisional with Box 16 completed)</small><ul style="list-style-type: none"><li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</li></ul></li></ul>	7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
	8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small>
	9. <input type="checkbox"/> English Translation Document (if applicable)
	10. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations
	11. <input checked="" type="checkbox"/> Preliminary Amendment
	12. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small>
	* Small Entity <input checked="" type="checkbox"/> Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
	13. <input type="checkbox"/> Statement(s) <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small>
	14. <input type="checkbox"/> Other: <b>Check #</b> <b>for \$395.00</b>
	15. <input checked="" type="checkbox"/> Other: <b>Check #</b> <b>for \$395.00</b>

**NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 08 / 896,415

Prior application information: Examiner

Group / Art Unit: 3738

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	PATRICK J. COYNE				
	COLLIER, SHANNON, RILL & SCOTT, PLLC				
Address	3050 K Street, NW Suite 400				
City	Washington	State	DC	Zip Code	20007
Country	US	Telephone	(202) 342-8400	Fax	(202) 342-8451

Name (Print/Type)	Patrick J. Coyne/Glenn T. Barrett	Registration No. (Attorney/Agent)	31,821/38,705
Signature		Date	July 1, 1998

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

Application of:                   Howard Tanner et al.

Rule 53 Divisional of Application

Serial No.:                       08/896,415

Filed:                               July 1, 1998

For:                                 METHOD AND APPARATUS FOR THE SURGICAL  
REPAIR OF ANEURYSMS

Attorney Docket #:           23660-00611

Honorable Commissioner of  
Patents and Trademarks  
BOX PATENT APPLICATION  
Washington, D.C. 20231

**Request for Filing Application Under 37 CFR 1.53(b)**

Sir:

This is a request for filing a ( ) continuation (X) divisional application, under 37 CFR 1.53(b) of pending prior Application Serial No. 08/896,415 filed on July 18, 1997, and entitled: METHOD AND APPARATUS FOR THE SURGICAL REPAIR OF ANEURYSMS

by the following named inventor(s):

(a) Howard Tanner, (b) Hugh Trout, III, and (c) Ronald Ehmsen;

who are citizens of (a) the United Kingdom; (b) the United States; and (c) the United States, currently residing at:

(a) 242 East 100 South, Logan, Utah 84321;  
(b) 4124 Jenifer Street, N.W., Washington, DC 20015; and  
(c) 10551 Wulff Drive, Villa Park, California 92861.

1.     (X)    Enclosed with and attached hereto is a copy of the prior application, including the oath or declaration as originally filed. I hereby verify that the attached papers are

a true copy of the above-identified prior application, including the drawings and the oath or declaration originally filed, produced from my files, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. (X) At least one original independent claim has been retained for filing purposes.
3. (X) A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

FEE CALCULATION  
(AFTER PRELIMINARY AMENDMENT)

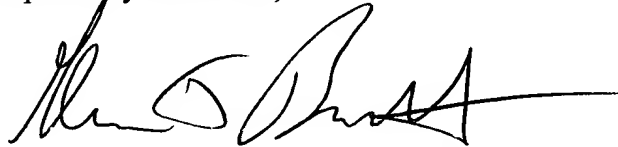
<u>FOR</u>	(Col. 1) <u>NO. FILED</u>	(Col. 2) <u>NO. EXTRA</u>	OTHER THAN A SMALL ENTITY	<u>RATE</u>	<u>FEE</u>
Basic Fee	////////	////////		////	\$395.00
Total Claims	8 - 20	= 0	x	\$11 =	00.00
Indep. Claims	1 - 3	= 0	x	\$41 =	0.00
( ) Multiple Dependent Claim Presented = \$270 = _____					
<u>TOTAL = \$ 395.00</u>					

4. (X) A check in the amount of \$395.00 to cover the (X) filing fee and ( ) any other fee which may be required is enclosed.
5. (X) The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17, or any other fees which may be required, or credit any overpayment to Deposit Account No. 03-2469. Two copies of this document are enclosed.
6. (X) Amend the specification by inserting before the first line the sentence:

This application is a ( ) continuation (X) divisional of  
application Serial Number 08/896,415, filed on  
July 18, 1997.

7.    (☐)    New (☐) formal (☒) informal drawings are enclosed.
8.    (☒)    The prior application is assigned of record to EVA CORPORATION, Washington, DC.
9.    (☒)    The power of attorney in the prior application is to:  
Patrick J. Coyne of Collier, Shannon, Rill & Scott, PLLC.
- a.   (☒)    The power of attorney appears in the original papers in the prior application.
- b.   (☐)    Associate powers of attorney do not appear in the original papers, therefore, a copy of the associate powers as filed in the prior application is enclosed.
- c.   (☒)    Address all further communications to:  
Patrick J. Coyne  
COLLIER, SHANNON, RILL & SCOTT, PLLC  
3050 K Street, NW  
Washington, D.C. 20007

Respectfully submitted,



PATRICK J. COYNE, Registration No. 31,821  
GLENN T. BARRETT, Registration No. 38,705  
COLLIER, SHANNON, RILL & SCOTT, PLLC  
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(202) 342-8400

Dated: July 1, 1998

22  
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Sydney, NSW 2000, Australia

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(202) 342-8497

July 1, 1998

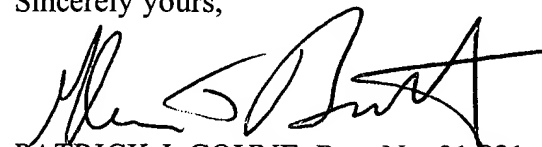
Honorable Commissioner of Patents  
and Trademarks  
BOX NEW APPLICATION  
Washington, D.C. 20231

Re: New U.S. Divisional Patent Application of  
Application Serial No. 08/896,415  
For: METHOD AND APPARATUS FOR THE SURGICAL REPAIR  
OF ANEURYSMS  
Our Reference: 23660-00611

Dear Sir:

Transmitted herewith for filing in the U.S. Patent and Trademark Office are the following documents: (1) Utility Patent Application Transmittal; (2) Fee Transmittal; (3) Request for Filing Application Under 37 CFR 1.53(b); (3) copy of executed Declaration and Power of Attorney from parent application; (4) 69 pages of specification, claims and abstract; (5) 27 pages of drawings; (6) Preliminary Amendment; (7) Information Disclosure Statement; (8) Form PTO 1449 and references cited therein (3); and (9) a check in the amount of \$395.00 to cover the U.S. Government divisional filing fee.

Sincerely yours,

  
PATRICK J. COYNE, Reg. No. 31,821  
GLENN T. BARRETT, Reg. No. 38,705

<b>FEE TRANSMITTAL</b> <i>Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</i>	<b>Complete if Known</b>		
	Application Number		
	Filing Date	July 1, 1998	
	First Named Inventor	Howard Tanner	
	Examiner Name		
	Group / Art Unit		
TOTAL AMOUNT OF PAYMENT	( \$ ) 395.	Attorney Docket No.	23660-00611

<b>METHOD OF PAYMENT (check one)</b>	<b>FEE CALCULATION (continued)</b>																																																																																																																								
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <input type="text"/> Deposit Account Name <input type="text"/> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.18 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance	<b>3. ADDITIONAL FEES</b> <table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Small Entity Fee Code</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130 205 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50 227 25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>139</td><td>130 139 130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520 147 2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920* 112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840* 113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110 215 55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>400 216 200</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>950 217 475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,510 218 755</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>2,060 228 1,030</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>310 219 155</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>310 220 155</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>270 221 135</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510 138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110 240 55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,320 241 660</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,320 242 660</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>450 243 225</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>670 244 335</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130 122 130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50 123 50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>240 126 240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40 581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>790 246 395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149</td><td>790 249 395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="4">Other fee (specify) _____</td></tr><tr><td colspan="4">Other fee (specify) _____</td></tr><tr><td colspan="4">SUBTOTAL (3) ( \$ ) -0-</td></tr></tbody></table>	Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	105	130 205 65	Surcharge - late filing fee or oath		127	50 227 25	Surcharge - late provisional filing fee or cover sheet.		139	130 139 130	Non-English specification		147	2,520 147 2,520	For filing a request for reexamination		112	920* 112 920*	Requesting publication of SIR prior to Examiner action		113	1,840* 113 1,840*	Requesting publication of SIR after Examiner action		115	110 215 55	Extension for reply within first month		116	400 216 200	Extension for reply within second month		117	950 217 475	Extension for reply within third month		118	1,510 218 755	Extension for reply within fourth month		128	2,060 228 1,030	Extension for reply within fifth month		119	310 219 155	Notice of Appeal		120	310 220 155	Filing a brief in support of an appeal		121	270 221 135	Request for oral hearing		138	1,510 138 1,510	Petition to institute a public use proceeding		140	110 240 55	Petition to revive - unavoidable		141	1,320 241 660	Petition to revive - unintentional		142	1,320 242 660	Utility issue fee (or reissue)		143	450 243 225	Design issue fee		144	670 244 335	Plant issue fee		122	130 122 130	Petitions to the Commissioner		123	50 123 50	Petitions related to provisional applications		126	240 126 240	Submission of Information Disclosure Stmt		581	40 581 40	Recording each patent assignment per property (times number of properties)		146	790 246 395	Filing a submission after final rejection (37 CFR 1.129(a))		149	790 249 395	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____				Other fee (specify) _____				SUBTOTAL (3) ( \$ ) -0-			
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Patrick J. Coyne / Glenn T. Barrett	Reg. Number	31,821/38,705
Signature		Date	7/1/98
		Deposit Account User ID	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.